

The Honorable John H. Chun

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DWIGHT CHRISTIANSON HENLINE,

Defendant.

NO. CR22-069 JHC

STIPULATED MOTION FOR ENTRY OF
PROTECTIVE ORDER

Noting date: August 5, 2022

The United States of America, by and through Nicholas W. Brown, United States Attorney for the Western District of Washington, and Erin H. Becker and Cecelia Gregson, Assistant United States Attorneys for said District, and defendant Dwight Christianson Henline by and through his attorneys, Dennis Carroll and Mohammad Ali Hamoudi, hereby file this Stipulated Motion for Entry of a Protective Order.

Defendant Dwight Christianson Henline has been indicted on one count of Arson. Dkt. 12. Trial is scheduled for November 14, 2022. Dkt. 20. The government states it has, and will continue to, fulfill its discovery obligations under Federal Rule of Criminal Procedure 16, *Brady*, and *Giglio*. Victim and witness names and personal identifying information have been redacted from discovery and replaced with initials. The government is willing to produce a key identifying potential witnesses whose names have been redacted to initials for use by the defense team in preparing for trial. In order to

1 protect this information, the parties agree this witness key, and other similar discovery
2 that may be from time to time produced in the future, shall be considered protected
3 discovery.

4 As such, the parties agree that a Discovery Protective Order for discovery that
5 involves crime victim and witness identifying information is appropriate. The
6 government agrees to label the protected material "PROTECTED" to identify the
7 materials subject to this stipulation and the corresponding protective order.

8 The parties request that the Discovery Protective Order require that the type of
9 discovery items listed above not be disseminated or shown to anyone other than counsel
10 and members of his/her litigation and investigative team, which may include outside
11 experts hired by either party ("the defense team"). The defense team does *not* include the
12 defendant or any other witness. However, as proposed in the Protective Order, the
13 defense team may show, display, and review the items listed and marked as Protected
14 Material to the defendant, but may not provide a copy of the Protected Material to the
15 defendant to keep or maintain in his possession or to copy for himself. Additionally, the
16 defense team may show Protected Material to the investigating case agents identified by
17 the government.

18 **Consent to Terms of Protective Order**

19 Any Protected Material that is filed with the Court in connection with pre-trial
20 motions, trial, sentencing, or other matter before this Court, shall be filed under seal and
21 shall remain sealed until otherwise ordered by this Court. This does not entitle either
22 party to seal their filings as a matter of course. The parties are required to comply in all
23 respects to the relevant local and federal rules of criminal procedure pertaining to the
24 sealing of court documents.

25 Any violation of any term or condition of the Proposed Order by the defendant, his
26 attorneys of record, or any member of the defense team may be held in contempt of court,
27 and/or may be subject to monetary or other sanctions as deemed appropriate by this
28 Court.

1 If the defendant violates any term or condition of this Order, the United States
2 reserves its right to seek a sentencing enhancement for obstruction of justice, or to file
3 any criminal charges relating to the defendant's violation.

4 For these reasons, the parties request this Court to authorize the proposed
5 Discovery Protective Order.

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7 Dated this 5th day of August, 2022.

8
9 Respectfully submitted,
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11 United States Attorney

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